

AO91 (Rev. 8/01) Criminal Complaint

UNITED STATES DISTRICT COURT

SOUTHERN

DISTRICT OF

TEXAS

United States Magistrate Court
DQ-BOTX
FILED

JUL 30 2014 2B

UNITED STATES OF AMERICA

V.

Arturo IBARRA
Corpus Christi, TX
US

CRIMINAL COMPLAINT

David J. Bradley, Clerk
Laredo Division

Case Number:

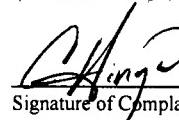
5:14-mj-1014

(Name and Address of Defendant)

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about July 27, 2014 in Webb County, in the Southern District of Texas Arturo IBARRA defendant(s), a citizen of the United States, did unlawfully transport 2 undocumented alien(s) within the Southern District of Texas knowing or in reckless disregard of the fact that said alien(s) had come to, entered, or remained in the United States in violation of law, and transported or moved said alien(s) within the United States by means of motor vehicle or otherwise, in furtherance of such violation of law;

in violation of Title(s) 8 United States Code, Section(s) 1324
 I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts: Based on statements of the accused and records of the U.S. Department of Homeland Security.

Continued on the attached sheet and made a part of this complaint:

 Yes No

 /S/
 Signature of Complainant

Carlos Hinojosa
 Printed Name of Complainant

Sworn to before me and signed in my presence,

July 30, 2014
 Date

Diana Song Quiroga, U.S. Magistrate Judge
 Name and Title of Judicial Officer

 at Laredo, Texas
 City and State


 Signature of Judicial Officer

CONTINUATION OF CRIMINAL COMPLAINT

AFFIDAVIT

In support of Criminal Complaint

UNITED STATES OF AMERICA
V.

CRIMINAL COMPLAINT

Arturo IBARRA

Case Number:

5:14-mj-01014

On July 27, 2014 Border Patrol Agents were assigned traffic check duties at the Freer Border Patrol Checkpoint located 16 miles west of Freer, Texas on Highway 59. At approximately 10:45 P.M. Agents were manning the primary lane when a dark blue in color Ford F-150 approached the primary lane for an immigration inspection of its occupants. The agent approached the pick-up truck and identified himself as a United States Border Patrol Agent and began an immigration inspection of the driver and occupants of the vehicle. The driver was identified as Ibarra, Arturo a United States Citizen. The agent then proceeded to conduct an immigration inspection on the passengers (MARTINEZ, Yolanda Elida a United States Citizen and two of her minor relatives citizens of the United States, along with OLEA-SOTELLO, Reymundo & Estrada-Ray o, Sotero). The agent then noticed that while questioning the two male adult passengers the driver would interrupt and attempt to take the agents attention away from completing his immigration inspection. The driver kept fidgeting in his seat and attempted to rush the interview by answering for the subjects. The agent also noticed that the two male subjects in the back seat of the pick-up truck were hesitating to answer if they were citizen's of the United States and were avoiding eye contact. Due to the above mentioned facts the agent referred the vehicle to the secondary inspection area to further his immigration inspection on the two male adult subjects.

While in the secondary inspection area an agent asked subject OLEA-Sotelo, Reymundo to exit the vehicle. The agent continued to conduct an immigration inspection on OLEA-Sotelo, Reymundo, and discovered that he was a citizen of Mexico and was in the United States illegally. OLEA-Sotelo, Reymundo was then placed under arrest and escorted to a holding cell to conduct record checks and further processing. The second subject (ESTRADA-Ray o, Sotero) then admitted to an agent that he was a national of Mexico and was in the United States illegally. The driver of the pick-up truck (IBARRA, Arturo) was then placed under arrest and escorted to a holding cell along with female passenger MARTINEZ, Yolanda Elida to conduct record checks and further processing.

STATEMENT BY PRINCIPAL:

Arturo Ibarra was read his rights as per Service Form I-214 by Border Patrol Agents and witnessed. Subject acknowledged fully understanding his rights by signing Service Form I-214. Subject requested to have a lawyer present before any questioning and declined to give a statement concerning him being charged with 8 USC 1324 (Alien Smuggling).

STATEMENT BY CO-PRINCIPAL:

MARTINEZ, Yolanda Elida, was read her rights as per Service Form I-214 by Border Patrol Agents and witnessed. Subject acknowledged fully understanding her rights by signing Service Form I-214. Subject requested to have a lawyer present before any questioning and declined to give a statement concerning her involvement in the alien smuggling of two Mexican nationals.

STATEMENT BY MATERIAL WITNESS:

OLEA-Sotelo, Reymundo stated he illegally entered into the United States on July 21, 2014 at about 5:00 P.M by crossing the Rio Grande River near Roma, Texas. Subject stated that they both made arrangements with an unknown smuggler in Roma, Texas to be illegally transported to Dallas, Texas. Subject stated that they arrived in Laredo, Texas and waited in a home for approximately four days. Subject stated that a driver of a dark in color pickup truck identified as, Arturo IBARRA (Principal), and passenger, Yolanda MARTINEZ (Co-Principal), picked up the subject and transported them to the Freer, Texas checkpoint on their way to his intended destination in Dallas, Texas. Upon arrival at the Freer Checkpoint, subject was subsequently arrested by U.S. Border Patrol Agents for being present in the United States without legal documentation. Subjects stated in his sworn statement that he did not pay the driver. Subject did indicate that the driver was aware him and his cousin were in the United States illegally and would face criminal charges if caught attempting to cross an Immigration checkpoint without proper documentation.

STATEMENT BY MATERIAL WITNESS:

ESTRADA-Ray o, Sotero stated he illegally entered into the United States) on July 21, 2014 at about 5:00 P.M by crossing the Rio

Grande River near Roma, Texas. Subject stated that they both made arrangements with an unknown smuggler in Roma, Texas to be illegally transported to Dallas, Texas. Subject stated that they arrived in Laredo, Texas and waited in a home for approximately four days. Subject stated that a driver of a dark in color pickup truck identified as, Arturo IBARRA (Principal), and passenger, Yolanda MARTINEZ (Co-Principal), picked up the subject and transported them to the Freer, Texas checkpoint on their way to his intended destination in Dallas, Texas. Upon arrival at the Freer Checkpoint, subject was subsequently arrested by U.S. Border Patrol Agents for being present in the United States without legal documentation. Subject stated that he had paid a certain amount of money in Mexico and was going to pay the rest once he arrived to Dallas, Texas. Subject stated that the driver (IBARRA, Arturo) knew he didn't have legal papers to be in the United States legally.

SUBSCRIBED and SWORN to before me this _____ day of _____.

Signature of Judicial Officer

Signature of Complaint